

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In application of:

Xiao Bing Wang

Confirmation No.:

Group Art Unit:

Serial No.: 10/757,263

Examiner:

Filed: January 14, 2004

Docket No.: 122001.1060

For: Isometric Primer Extension Method and Kit for Detection and Quantification of Polynucleotides

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This information disclosure statement is filed in accordance with 37 C.F.R. §§ 1.56, 1.97, and 1.98, and specifically:

- ☒ under 37 CFR 1.97(b), or
(within Three months of filing national application; or date of entry of international application; or before
mailing date of first office action on the merits; whichever occurs last)
- ☐ under 37 CFR 1.97(c) together with either a:
☐ Statement Under 37 C.F.R. 1.97(e), or
☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the CFR 1.97(b) time period, but before the final office action or notice of allowance, whichever
occurs first)
- ☐ under 37 CFR 1.97(d) together with a:
☐ Statement under 37 CFR 1.97(e), and
☐ a \$180.00 petition fee set forth in 37 CFR 1.17(p).
(Filed after final office action or notice of allowance, whichever occurs first, but before payment of the
issue fee)

Each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

Applicant believes no fee is due with this paper; however, if the Examiner determines a fee is required, the Commissioner is authorized to charge any requisite fee to Deposit Account No. 20-0778.

- ☒ Applicant(s) submit herewith *Form PTO 1449A - Information Disclosure Statement by Applicant* together with copies of non-U.S.-patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may or may not be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56. As required by 37 C.F.R. §1.98(a), a legible copy of each non-U.S. patent document is provided.
- ☐ A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individual(s) designated in 37 CFR 1.56(c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on the form PTO 1449 and is enclosed herewith.

The following rights are reserved by the Applicant(s): the right to establish the patentability of the claimed invention over any of the listed documents should they be applied as reference, and/or the right to prove that some of these documents may not be prior art, and/or the right to prove that some of these documents may not be enabling for the teachings they purport to offer.

This statement should not be construed as a representation that an exhaustive search has been made, or that information more material to the examination of the present application does not exist. Any statements or identifications regarding the relevance of any portion(s) of cited references should not be construed as a representation that the most relevant portion(s) have been identified, and the absence of such statements or identifications should not be construed as representations that there are no relevant portion(s). The Examiner is specifically requested not to rely solely on the materials submitted herewith. The Examiner is requested to conduct an independent and thorough review of the documents, and to form independent opinions as to their significance.

It is requested that the information disclosed herein be made of record in this application and that the Examiner initial and return a copy of the enclosed PTO-1449 to indicate the documents have been considered.

Respectfully Submitted,

THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.

By:

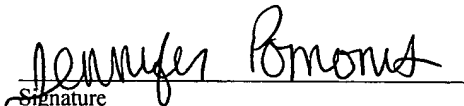


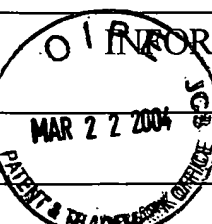
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CERTIFIED MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as "First Class Mail," in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 17, 2009


Signature

Form PTO-1449						Attorney Docket No. 122001.1060		Serial No. 10/757,263			
 INFORMATION DISCLOSURE CITATION								Applicant Xiao Bing Wang			
(Use several sheets if necessary)								Filing Date January 14, 2004		Group	
U.S. PATENT DOCUMENTS											
Examiner Initials	Item	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate				
	1	5,830,655 A	11/3/98	Becker et al.							
FOREIGN PATENT DOCUMENTS											
		Document Number	Date	Country	Class	Subclass	Translation				
							Yes	No			
	F1	WO 99/57318 A	11/11/99	PCT							
	F2	European Search Report	2/4/04								
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)											
A1	Braun, A. et al. (Nov. 1997) Improved Analysis of Microsatellites Using Mass Spectrometry. Genomics, Academic Press, San Diego, US; Vol. 46, No. 1, pp. 18-23.										
A2	Mueller, Sabine et al. (March 2000) Retention of imprinting of the human apoptosis-related gene TSSC3 in human brain tumors. Human Molecular Genetics; Vol. 9, No. 5, pp. 757-763.										
* EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.											
EXAMINER'S SIGNATURE:						DATE CONSIDERED:					
Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE											